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AUG 5 1999

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August 5, 1999

VIA HAND DELIVERY

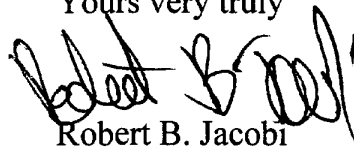
Ms. Magalie R. Salas
Secretary
Federal Communications Commission
The Portals II
445 - 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Dear Ms. Salas

Channel 3 of Corpus Christi, Inc., licensee of television station KIII, Corpus Christi, Texas filed a Petition for Rulemaking in February, 1999 to substitute DTV Channel 8 for allotted DTV Channel 47. On behalf of Channel 3 of Corpus Christi, Inc., there are herewith transmitted an original and four copies of a "Supplement to Petition for Rulemaking."

It is respectfully requested that the enclosed "Supplement" be associated with the pending Petition for Rulemaking.

Yours very truly


Robert B. Jacobi

RBJ:btc

Enclosures

cc: Mr. Clay Pendarvis
Ms. Pam Blumenthal

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BEFORE THE

Federal Communications Commission

In the Matter of

Amendment of Section 73.622(b),
Digital Television Table of Allotments,
(Corpus Christi, Texas)

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AUG 5 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Chief, Mass Media Bureau

SUPPLEMENT TO PETITION FOR RULEMAKING

Channel 3 of Corpus Christi, Inc., licensee of Television Broadcast Station KIII, Corpus Christi, Texas ("Petitioner"), through its attorneys and pursuant to Sections 1.419, 1.420 and 73.623 of the Commission's Rules, hereby supplements its February 18, 1999 Petition for Rulemaking requesting that the Table of Allotments for Digital Television ("DTV") Stations, Section 73.622(b) of the Commission's Rules be amended as follows:

<u>City</u>	<u>Present</u>	<u>Channel No.</u>	<u>Proposed</u>
Corpus Christi, Texas	47		8

In support of such request, the following supplemental information is set forth.

1. The proposed substitution would benefit the public interest for the following reasons. If the Petition for Rulemaking is adopted, Petitioner intends to operate DTV Channel 8 with the maximum allotted facilities. However, absent a change

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in DTV allocation from Channel 47 to Channel 8, Petitioner will not, during the interim DTV transition period, engage in full power DTV operations, but, rather, will operate at low power, providing interim DTV coverage to its city of license. As set forth in the attached engineering statement of Bernard R. Segal, P.E., an interim DTV operation on Channel 47 in lieu of proposed Channel 8, would provide DTV service to an area of a 9,350 sq. km with a population of 419,440 whereas a full power DTV operation on Channel 8 would provide DTV service to an area of 17,480 sq. km with a population of 500,800; thus, the proposed substitution of Channel 8 would result in interim DTV service to more than 81,000 persons in an area almost double the size of the area served by a Channel 47 DTV allocation.

2. The proposed change also will enable Station KIII to avoid the extra cost of purchasing a UHF transmitter and other equipment which it will not use at the end of the DTV transition period when it reverts back to a VHF Channel allocation for DTV operation. Moreover, there are substantially higher operating costs for electrical power usage with a UHF Channel 47 DTV operation which would not be incurred for DTV operation on Channel 8. If Petitioner's proposal to substitute Channel 8 in lieu of Channel 47 for Station KIII's DTV operations is adopted by the Commission, the resulting capital and operating cost savings will free-up additional resources for Petitioner to invest in promoting and providing DTV programming to the public.

3. The success of a DTV station operation is inherently related to viewer acceptance; the larger the audience size, the greater likelihood that viewers will purchase

DTV receivers and, further, purchase receivers at an earlier point in time. The public interest benefit is that 81,000 additional persons will be served by a DTV Channel 8 operation at the commencement of DTV operation in 2002 – many years prior to the end of the transition period. Accordingly, a Channel 8 DTV allocation would better serve to expedite the public's acceptance and conversion to digital television.

4. The proposed substitution of DTV Channel 8 for DTV Channel 47 would permit station KIII to replicate a larger portion of its existing service area during the DTV transition period; the proposed channel change complies with the coverage and allocation criteria set forth under Section 73.623(c) of the Commission Rules. Accordingly, Petitioner submits that its proposed DTV channel substitution would serve the public interest and the Commission is respectfully requested to issue a Notice of Proposed Rulemaking.

Respectfully submitted

CHANNEL 3 OF CORPUS CHRISTI,
INC.

By: _____

Robert B. Jacobi
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1920 N Street, N.W.
Suite 300
Washington, D.C. 20036-1622

Its Attorneys

Date: August 5, 1999

Bernard R. Segal, P.E.
Consulting Engineer
Washington, DC

**SUPPLEMENTAL ENGINEERING STATEMENT
PREPARED ON BEHALF OF
CHANNEL 3 OF CORPUS CHRISTI, INC.
CORPUS CHRISTI, TEXAS**

Channel 3 of Corpus Christi, Inc. (hereafter, Channel 3) has a petition pending to modify the DTV Table of Allotments to substitute Ch. 8 for Ch. 47 at Corpus Christi, Texas. The instant Supplemental Engineering Statement provides additional supporting information for the channel substitution.

The Ch. 47 reservation is for operation with maximum average effective radiated power of 1000 kW and antenna radiation center height above average terrain of 262 meters. According to the table in Appendix B of the Second Memorandum Opinion and Order on Reconsideration of the Fifth and Sixth Report and Orders, the digital television service that would be provided by station KIII-DT operating pursuant to the Ch. 47 reservation is to 490,000 persons. However, after the transition, it is Channel 3's intent to establish its permanent DTV operation on its existing Ch. 3 with whatever power would be required to replicate or exceed its current Ch. 3 NTSC coverage, or on Channel 8 in the manner set forth in the pending petition, if successful. Permanent DTV

Bernard R. Segal, P.E.
Consulting Engineer
Washington, DC

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Channel 3 of Corpus Christi, Inc., Corpus Christi, Texas

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operation on UHF Ch. 47 with a large effective radiated power would prove extremely expensive for initial capital costs and for continuing operational costs compared with a VHF installation.

Add to the foregoing the temporary nature of the Ch. 47 operation, and it becomes evident that it makes little sense to expend vast sums of money and energy in implementing a high-powered facility on Ch. 47. If the pending petition to operate on Ch. 8 is unsuccessful, practical considerations dictate that the temporary transitional operation on Ch. 47 be for reduced facilities and only be sufficient to meet FCC Rule requirements.

The accompanying map, Figure 1S, shows two coverage contours for KIII-DT. The contour shown in blue is the coverage for a Ch. 47 facility that would provide somewhat more than the minimum required service if the petition to substitute Ch. 8 for Ch. 47 does not succeed. The second contour on the map shows the coverage for the proposed Ch. 8 KIII-DT operation.

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Channel 3 of Corpus Christi, Inc., Corpus Christi, Texas

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The DTV Ch. 8 coverage contour includes 500,800 persons in a land area of 26,830 square kilometers. The Ch. 47 DTV coverage contour includes 419,440 persons in a land area of 9,350 square kilometers. Thus, as a practical matter, operation on Ch. 8 during the transition has the potential for serving 81,440 more persons in a 17,480 square kilometer greater area than would be the case if KIII-DT operated on Ch. 47 during the transition. Also, the Ch. 8 operation will provide coverage comparable to that envisioned for the Ch. 47 replication facility in Appendix B.

The public interest would be better served by KIII-DT operation on Ch. 8 than on Ch. 47.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 23, 1999.



Bernard R. Segal, P.E.

Figure 1S

